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EXAMINER

BRUCKART, BENJAMIN R

ART UNIT	PAPER NUMBER
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2155

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PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary

Application No.

10/016,790

Applicant(s)

HOUGH ET AL.

Examiner

Benjamin R. Bruckart

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 12 July 2007.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-27 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-27 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date _____.
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____.
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: _____.

Detailed Action

Claims 1-27 are pending in this Office Action.

Claims 1, 12, 21, 26 and 27 are amended.

No claims are cancelled. No new claims added.

Response to Arguments

Applicant's arguments filed in the amendment filed 7/12/07 have been fully considered but are moot in view of new grounds of rejection. The reasons are set forth below.

Applicant's invention as claimed:

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 1-27 are rejected under 35 U.S.C. 103(a) as being unpatentable by "Slennox's eggdrop page"; April 11, 2001 (herein after "Slennox") [all the links are incorporated by reference] in view of "BotnetCentral – Your source for Eggdrop related Stuff"; May 24, 2000 (herein after "BotnetCentral") [all links incorporated by reference] in further view of U.S. Patent Publication 2001/0014852 by Tsourikov et al.

Regarding claim 1,

The Slennox reference teaches:

a computer system configured to manage an online chat session relating to a specific subject being discussed between a plurality of members of a group of chat participants (Slennox: whatis page; software resource in an IRC channel), the group including a plurality of computer

users, a computer-implemented method for including a software resource as a member of the group of chat participants within the online chat session conducted through a messaging service (Slennox: whatis looks like a user on a channel), comprising the steps of:

(a) registering the software resource to indicate that it is available to participate in an online chat session, when said software resource is executed (Slennox: commands; +channel is a command so the bot will join a channel);

(b) including the software resource, along with the plurality of computer users, as members in a group of online chat participants (Slennox: using your eggdrop; in channel);

The Slennox reference fails to state public commands examples but teaches TCL scripts that allow extra features (Slennox: using.shtml; Public commands, page 2 of 7)

The BotnetCentral reference teaches

(b) each member in the group of chat participants, including the software resource, capable of sending a plain language message relating to a specific subject being discussed to all the other members in the group of chat participants, including the software resource (BotnetCentral: trigger page; category);

(c) receiving from a member of the group of chat participants a submission of a plain language message relating to a specific subject being discussed (BotnetCentral: !trigger, !rules);

(d) transmitting the plain language message to each member of the group of online chat participants, including the software resource (BotnetCentral: trigger page; send a public message);

(i) the software resource transmitting the plain language response back to all of the members of the group of chat participants, including the member that submitted the plain language message and including at least one other member that did not submit the plain language message, thus enabling each member of the group of the group of chat participants to equally interact with the software resource as another participant in the online chat session, by responding to the plain language message relating the specific subject being discussed (BotnetCentral: trigger page, category page) in order to allow public users to interact with the bot (BotnetCentral: trigger, main page).

It would have been obvious at the time of the invention to one of ordinary skill in the art to create the bot as taught by Slennox to include public interactivity and announcing as taught by BotnetCentral in order to allow public users to interact with the bot (BotnetCentral: trigger, main page).

The modified Slennox reference fails to teach retrieving search results from a database.

However, the Tsourikov reference teaches:

(e) the software resource parsing the plain language message to generate a query for data related to a specific subject being discussed (Tsourikov: page 2, para 12).

(f) a software resource submitting the generated query to at least one database to obtain data specific to the subject being discussed (Tsourikov: page 2, para 12);

(g) the software resource receiving a response to the query from at least one of the at least one databases (Tsourikov: page 2, para 12, 13)

(h) the software resource determining a plain language response to the message based on the received database response, the plain language response being related to the subject being discussed (Tsourikov: page 4, para 45-46; Figs 12-13) in order to quickly and concisely display content or subject matter specific to the search terms (Tsourikov: page 1, para 2, 3, 7).

It would have been obvious at the time of the invention to one of ordinary skill in the art to create the bot as taught by Slennox to include searching databases for results to queries as taught by Tsourikov in order to quickly and concisely display content or subject matter specific to the search terms (Tsourikov: page 1, para 2, 3, 7).

Regarding claim 2, the method of claim 1, further comprising the step of enabling the user to selectively direct the message to the software resource (Slennox; using the eggdrop: dcc session).

Regarding claim 3, the Slennox reference teaches the method of claim 1.

The Slennox reference does not explicitly state a computer user answers a query.

However, the Slennox reference teaches the context in which a query is asked, a chat channel with other users (Slennox; using page), it would have been obvious at the time of the

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invention to one of ordinary skill in the art for wherein one or more of the plurality of computer users answers the plain language message sent to the software resource (BotnetCentral: trigger, !trigger shows the bot can respond by providing the rules in response to the trigger. It is an inherent feature any person in the channel can do this) in order to answer the answers question.

Regarding claim 7, the Slennox reference teaches the method of claim 3, wherein the user that submitted the message receives multiple responses to the message including responses from the software resource and one or more of the plurality of computer users (inherent that a public chat message can be seen and responded to by both users and bots [BotnetCentral: Multiple bots can each send in response to a trigger]).

Regarding claim 4, the method of claim 1, wherein, if the software resource is unable to determine a plain language response to the plain language message, the response is one of a nil response and an indication that a response cannot be provided (Slennox: faq: invalid command name).

Regarding claim 5, the method of claim 1, further comprising the step of providing a graphic indication that the software resource is online and available to participate in the online chat session as a participant (Slennox; user on the channel).

Regarding claim 6, the method of claim 1, wherein the plain language message comprises a query, and the plain language response comprises data responsive to the query (Slennox: shows response; announcements).

Regarding claim 8, the method of claim 1, wherein the step of registering comprises the step of registering with a messaging service server through which the messaging service is implemented for all participants in the online chat session, including the software resource (Slennox: setup; set servers for IRC logon).

Regarding claim 9, the method of claim 1, wherein the step of determining the plain language response includes the step of employing the software resource to search through data accessible by the software resource to find data provided in the plain language response (Slennox: commands: loads from settings stored on the bot).

Regarding claim 10, a machine readable medium having processor-executable machine instructions for performing steps (b)-(d) as recited in claim 1 (Slennox: command reference and whatis).

Regarding claim 11, a machine readable medium having processor-executable machine instructions for performing steps (a) and (e)-(g) as recited in claim 1 (Slennox: command reference and whatif).

Regarding claim 12, a method for accessing information available through a software resource during a messaging service session relating to a specific subject being discussed (Slennox: whatis page; software resource in an IRC channel), comprising the steps of:

(a) indicating participants in a group of online chat participants in the messaging service session, the group including as members in the group a plurality of users and a software resource, at least one of the plurality of users of the messaging service session and a software resource being included a participant in the messaging service session (Slennox: whatis; IRC bot program; looks like a user on a channel);

(b) enabling any of the plurality of users to enter a plain language query in the messaging service session relating to a specific subject being discussed (Slennox: commands to the bot);

(g) the software resource automatically determining information responsive to the plain language query, (Slennox: command reference; bans show you all the bans active on the channel); and

The Slennox reference fails to state public commands examples but teaches TCL scripts that allow extra features (Slennox: using.shtml; Public commands, page 2 of 7).

However, the BotnetCentral reference teaches

(c) transmitting the plain language query to each member of the group of online chat participants, including the software resource (BotnetCentral: trigger page; category);

(h) transmitting the information responsive to the plain language query back to all of the members of the group of chat participants, including the member that submitted the plain language message and including at least one other member that did not submit the plain language message (BotnetCentral: trigger page; category), thus enabling each member of the group of chat participants to equally access information through the software, wherein the software resource acts as a participant in the messaging service session by responding to the plain language query entered by any of the plurality of the users, the plain language message relating to the specified subject being discussed (BotnetCentral: trigger page, category page) in order to allow public users to interact with the bot (BotnetCentral: trigger, main page).

It would have been obvious at the time of the invention to one of ordinary skill in the art to create the bot as taught by Slennox to include public interactivity and announcing as taught by BotnetCentral in order to allow public users to interact with the bot (BotnetCentral: trigger, main page).

The modified Slennox reference fails to teach retrieving search results from a database. However, the Tsourikov reference teaches:

(d) the software resource parsing the plain language message to generate a query for data related to a specific subject being discussed (Tsourikov: page 2, para 12).

(e) a software resource submitting the generated query to at least one database to obtain data specific to the subject being discussed (Tsourikov: page 2, para 12);

(f) the software resource receiving a response to the query from at least one of the at least one databases (Tsourikov: page 2, para 12, 13)

(g) the software resource determining a plain language response to the message based on the received database response, the plain language response being related to the subject being discussed (Tsourikov: page 4, para 45-46; Figs 12-13) in order to quickly and concisely display content or subject matter specific to the search terms (Tsourikov: page 1, para 2, 3,7).

It would have been obvious at the time of the invention to one of ordinary skill in the art to create the bot as taught by Slennox to include searching databases for results to queries as

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taught by Tsourikov in order to quickly and concisely display content or subject matter specific to the search terms (Tsourikov: page 1, para 2, 3, 7).

Regarding claim 13, the method of claim 12, wherein the software resource and all other participants in the messaging service session are coupled in communication over a network (Slennox: all in the same channel; commands).

Regarding claim 14, the method of claim 12, further comprising the step of enabling the user to selectively add the software resource to the messaging service session from a list of prospective participants (Slennox: command reference +channel; dcc to bot from channel).

Regarding claim 15, the method of claim 12, further comprising the step of enabling the user to selectively direct the plain language query to the software resource (Slennox; using the eggdrop: dcc session).

Regarding claim 16, the method of claim 12, wherein the software resource comprises a data manager program that accesses a store of data to find the information responsive to the plain language query transmitted from the user (Slennox: commands: loads from settings stored on the bot).

Regarding claim 17, the method of claim 12, further comprising the step of transmitting an indication from the software resource to the user that information responsive to the plain language query could not be provided (Slennox: faq: invalid command name).

Regarding claim 18, the method of claim 12, further comprising the step of providing an indication to a user when the software resource is unavailable to participate in a messaging service session (Slennox: faq, hostname self-lookup failed).

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Regarding claim 19, the method of claim 12, wherein the information provided by the software resource includes a network address at which data responsive to the query are located (Slennox: commands, hostmask).

Regarding claim 20, the method of claim 12, wherein a plurality of software resources are included in a list of prospective participants in the messaging service session (Slennox; users on the channel).

Regarding claim 21, the claim limitation mirrors and contains substantially the same limitations as claims 1 and 10-12 do and are therefore rejected under the same rationale.

Regarding claim 22, the system of claim 21, wherein the software resource computing device includes a data store from which the information is derived to respond to the plain language query received during the messaging service session (Slennox: commands: loads from settings stored on the bot).

Regarding claim 23, the system of claim 21, wherein the user computing device includes a user interface that enables a user to enter the plain language query into the messaging service session (Slennox: commands to the bot).

Regarding claim 24, the system of claim 21, wherein the user computing device includes a display on which the messaging service session is viewed, an image viewable during said messaging service session including an indication of whether the software resource is available to participate in the messaging service session (Slennox; user on the channel).

Regarding claim 25, the system of claim 21, wherein the user computer device is programmed to enable a user to selectively add the software resource as a participant in the messaging service session (Slennox: command reference +channel).

Regarding claim 26, the claim limitation mirrors and contains substantially the same limitations as claims 1 and 10-12 do and are therefore rejected under the same rationale.

Regarding claim 27, the claim limitation mirrors and contains substantially the same limitations as claims 1 and 10-12 do and are therefore rejected under the same rationale.

PRIOR ART

See Wikipedia entry for definition of IRC (Internet Relay Chat) and chat channels.

REMARKS

Applicant has made amendments to the independent claims and provided arguments directed towards the allowability of the new amendments.

In the remarks, applicant reserves the right to challenge the prior art. The examiner is confused. Under 35 U.S.C. 103(a) the cited non patent literature references were published before applicant's priority date and do constitute prior art.

The examiner contends the new rejection covers all of the claim limitations. Chat rooms and chat channels are designated for specific topics (see Sleenox: faq; page 5, where channels pigs and cows are joined). Sleenox teaches the agent and bot details in a chat environment. The BotnetCentral reference is relied upon to teach parsing and responding from/to the party line. The Tsourikov reference shows a software resource the retrieves information based on a query. It also performs many of the parsing of natural language into to a query and returning said information.

Conclusion

Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Benjamin R. Bruckart whose telephone number is (571) 272-3982. The examiner can normally be reached on 8:00-5:30PM with every other Friday off.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Saleh Najjar can be reached on (571) 272-4006. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Benjamin R Bruckart
Examiner
Art Unit 2155



SALEH NAJJAR
SUPERVISORY PATENT EXAMINER